

AMENDED IN SENATE MAY 27, 2004

SENATE BILL

No. 1160

Introduced by Senator Cedillo

February 2, 2004

An act ~~relating to drivers~~ to amend Section 197 of the Code of Civil Procedure, and to amend Sections 1653.5, 12800, 12801, and 12801.5 of, to add Sections 1672.6, 1808.10, 12801.2, 12801.25, 12801.9, and 12801.10 to, and to repeal Section 14610.7 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1160, as amended, Cedillo. ~~Highways: drivers~~ Vehicles: driver's license.

Existing law makes it unlawful for a person to drive a motor vehicle upon a highway unless that person holds a valid driver's license issued under the Vehicle Code, and provides proof of financial responsibility.

~~This bill would express the intent of the Legislature to enact appropriate legislation that improves the safety of all California residents while operating motor vehicles upon our highways by ensuring that all drivers of motor vehicles are properly licensed, tested, and maintain proof of financial responsibility.~~

The

(1) Existing law requires the Department of Motor Vehicles to furnish the jury commissioner of each county with the current list of the names, addresses, and other identifying information of persons residing in the county who are 18 years of age or older and who are holders of a current driver's license or identification card issued by the department, as specified.

This bill would require the department to exclude from those lists any person who obtained his or her current driver's license by presenting a federal individual taxpayer identification number or other number or identifier, as specified.

(2) Existing law requires the Department of Motor Vehicles, upon proper application, to issue a class C or M driver's licenses.

This bill would require an applicant for an original driver's license to sign a two part statement developed by the department, informing the applicant of the limitations and entitlements associated with the issuance of the driver's license and requiring the applicant to affirm that if he or she is not a citizen or legal resident of the United States that the applicant has applied for legal residency or will apply for legal residency under the United States immigration laws. The bill would require the two part statement to be signed under penalty of perjury. Because the bill would expand the scope of the crime of perjury, the bill would impose a state-mandated local program.

(3) Existing law provides that specified records of the Department of Motor Vehicles, with certain exceptions, are open to public inspection. Existing law requires that the Attorney General, district attorneys, law enforcement agencies, public defenders, and public defender investigators, have access to department records that are open to the public on an equal basis. Existing law requires applications for driver's licenses and identification cards to contain specified information.

This bill would require the Department of Motor Vehicles to consult with the Department of Justice to determine what information is relevant to the eligibility of a person to possess a firearm, dangerous weapon, or explosive, the Department of Motor Vehicles should collect from a person applying for or renewing a driver's license, and should provide to the Department of Justice, so that the Department of Justice may better determine the eligibility of a person to possess one of those items. The bill would require the Department of Motor Vehicles to collect and provide that information to the Department of Justice, and would prohibit the Department of Justice from providing the information to the federal government or any other law enforcement agency, except in connection with prosecuting a person for illegally attempting to purchase or obtain a firearm, dangerous weapon, or explosive.

(4) Under existing law, every form prescribed by the Department of Motor Vehicles for use by an applicant for the issuance or renewal by



the department of a driver's license or identification card is required to contain a section for the applicant's social security account number. Existing law requires an applicant who submits one of those forms to the department to furnish the appropriate number in the space provided. Existing law prohibits the department from completing an application that does not include the applicant's social security account number. Existing law prohibits the department from including an applicant's social security account number on a driver's license, identification card, registration, certificate of title, or any other document issued by the department. Existing law declares that information obtained by the department regarding an applicant's social security account number is not a public record and prohibits the department from disclosing that information except in specified circumstances.

This bill would require those driver's license forms to contain a section for the applicant's social security account number, federal individual taxpayer identification number, or other identifier or number that is deemed appropriate by the department. The bill would allow an applicant for a driver's license who is presently not eligible for a social security account number, but who submits a specified affidavit signed under penalty of perjury, and a federal individual taxpayer identification number or other number or identifier that is deemed appropriate by the department, to submit those documents to the department in lieu of a social security account number, and those documents would be acceptable until the applicant obtains a social security account number. The bill would require that applicant upon obtaining a social security account number to provide that social security account number to the department. The bill would establish an administration appeal procedure for those applicants whose applications are denied. The bill would require an application for a commercial driver's license to include the applicant's social security account number. Because the bill would expand the scope of the crime of perjury, the bill would impose a state-mandated local program.

The bill would also prohibit the department from including an applicant's federal individual taxpayer identification number, or other number or identifier deemed appropriate by the department on a driver's license, registration, certificate of title, or any other document issued by the department. The bill would declare that information obtained by the department regarding an applicant's federal individual taxpayer identification number or other information collected is not a



public record and would prohibit the department from disclosing that information, except in specified circumstances.

(5) Existing law requires the department to require every applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law and prohibits the department from issuing a license or card to a person who does not do so. Existing law requires the department to adopt regulations, including procedures for verifying citizenship or legal residency of applicants for driver's licenses and identification cards.

This bill would repeal those requirements.

The bill would, however, require the department to require an applicant for an original driver's license to present an identification document acceptable to the department, for the purpose of establishing identity prior to completing that application. The bill would require an applicant who furnishes the department with his or her federal individual taxpayer identification number or other number or identifier deemed appropriate by the department to present to the department a recently validated passport or a specified identification card issued by the consulate of the applicant's country of origin.

This bill would require these applicants to also submit to the department a completed specified form, developed by the department, signed by a person with a currently valid driver's license who is a citizen of the United States and who sponsors the applicant for purposes of obtaining a driver's license.

This bill would also require an applicant for an original driver's license as described above to submit, as specified, to the Department of Justice a full set of fingerprints for the purpose of state and federal criminal background checks. The bill would require these applicants to pay all associated fees.

The bill would prohibit the department from issuing a driver's license to a person on whom it receives a report indicating that the applicant has been convicted of a public offense, other than the offense of driving without a driver's license.

The bill would require the department to charge each person who submits, in support of an application for a driver's license, a federal individual taxpayer identification number or other number deemed appropriate by the department, in lieu of a social security account number, a fee sufficient to cover the costs incurred by the Department of Justice under these provisions, but not more than \$60.



The bill would require the department to charge a person described above a \$5 fee. The bill would require these additional fees to be deposited in the Citizen Naturalization Preparation Fund, which the bill would create. Moneys deposited in that fund, upon appropriation by the Legislature, would be allocated to the Department of Community Services and Development to support programs and grants to fund naturalization programs, thereby imposing a tax for purposes of Article XIII A of the California Constitution.

The bill would require all applications for an original or renewal driver's license to contain documentation acceptable to the department showing the applicant is presently residing in this state.

(6) Existing law makes it a misdemeanor for any person to knowingly assist in obtaining a driver's license or identification card for any person whose presence in the United States is not authorized under federal law.

This bill would delete that provision.

(7) By imposing a new tax, this bill would result in a change in state taxes for the purpose of increasing revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.

(8) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(9) The bill would provide that its provisions are severable.

(10) The bill would declare that it takes effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

~~1 SECTION 1. It is the intent of the Legislature to enact
2 appropriate legislation that improves the safety of all California
3 residents while operating motor vehicles on our highways by
4 ensuring that all drivers of motor vehicles are properly licensed,
5 tested, and maintain proof of financial responsibility.~~

1 ~~SEC. 2.—~~

2 *SECTION 1. Section 197 of the Code of Civil Procedure is*
3 *amended to read:*

4 197. (a) All persons selected for jury service shall be selected
5 at random, from a source or sources inclusive of a representative
6 cross section of the population of the area served by the court.
7 Sources may include, in addition to other lists, customer mailing
8 lists, telephone directories, or utility company lists.

9 (b) The list of registered voters and the Department of Motor
10 Vehicles' list of licensed drivers and identification cardholders
11 resident within the area served by the court, are appropriate source
12 lists for selection of jurors. These two source lists, when
13 substantially purged of duplicate names, shall be considered
14 inclusive of a representative cross section of the population, within
15 the meaning of subdivision (a).

16 (c) The Department of Motor Vehicles shall furnish the jury
17 commissioner of each county with the current list of the names,
18 addresses, and other identifying information of persons residing in
19 the county who are age 18 years or older and who are holders of
20 a current driver's license or identification card issued pursuant to
21 Article 3 (commencing with Section 12800) of, or Article 5
22 (commencing with Section 13000) of, Chapter 1 of Division 6 of
23 the Vehicle Code, *but excluding a person who obtained his or her*
24 *current driver's license by presenting to the department his or her*
25 *federal individual taxpayer identification number, or other*
26 *number or identifier deemed appropriate by the Department of*
27 *Motor Vehicles under paragraph (2) of subdivision (a) of Section*
28 *120801 of the Vehicle Code.* The conditions under which these lists
29 shall be compiled semiannually shall be determined by the
30 director, consistent with any rules which may be adopted by the
31 Judicial Council. This service shall be provided by the Department
32 of Motor Vehicles pursuant to Section 1812 of the Vehicle Code.
33 The jury commissioner shall not disclose the information
34 furnished by the Department of Motor Vehicles pursuant to this
35 section to any person, organization, or agency.

36 *SEC. 2. Section 1653.5 of the Vehicle Code is amended to*
37 *read:*

38 1653.5. (a) Every form prescribed by the department for use
39 by an applicant for the issuance or renewal by the department of
40 a driver's license or identification card pursuant to Division 6

(commencing with Section 12500) shall contain a section for the applicant's social security account number, *and, in the case of the issuance or renewal of a driver's license, as an alternative to the social security account number, space for the applicant's federal individual taxpayer identification number, or other number or identifier deemed appropriate by the department under paragraph (2) of subdivision (a) of Section 12801.*

(b) Every form prescribed by the department for use by an applicant for the issuance, renewal, or transfer of the registration or certificate of title to a vehicle shall contain a section for the applicant's driver's license or identification card number.

(c) ~~Any~~ A person who submits to the department a form that, pursuant to subdivision (a), contains, *as appropriate*, a section for the applicant's social security account number, *federal individual taxpayer identification number, or other number or identifier deemed appropriate by the department under paragraph (2) of subdivision (a) of Section 12801*, or pursuant to subdivision (b), the applicant's driver's license or identification card number, if any, shall furnish the appropriate number *or identifier* in the space provided.

(d) (1) The department shall not complete ~~any application that does not include the applicant's social security account number or an application for the issuance or renewal by the department of a driver's license or identification card number as required by subdivision (c).~~ pursuant to Division 6 (commencing with Section 12500) that does not include one of the following:

(A) *The applicant's social security account number.*

(B) *Subject to paragraph (2) of subdivision (a) of Section 12801, a federal individual taxpayer identification number.*

(C) *Subject to paragraph (2) of subdivision (a) of Section 12801, a number or identifier that is determined to be appropriate by the department.*

(2) The department shall not complete an application for the issuance or transfer of the registration or certificate of title to a vehicle that does not include one of the following:

(A) *The applicant's driver's license number.*

(B) *The applicant's identification card number.*

(e) An applicant's social security account number *federal individual taxpayer identification number, or other number or identification deemed appropriate by the department* shall not be

1 included by the department on any driver's license, identification
2 card, registration, certificate of title, or any other document issued
3 by the department.

4 (f) Notwithstanding any other provision of law, information
5 regarding an applicant's social security account number, *federal*
6 *individual taxpayer identification number, or any other*
7 *information collected under Section 12801 or 12801.2*, obtained
8 by the department pursuant to this section, is not a public record
9 and shall not be disclosed by the department except for any of the
10 following purposes:

11 (1) Responding to a request for information from an agency
12 operating pursuant to, and carrying out the provisions of, Part A
13 (Aid to Families with Dependent Children), or Part D (Child
14 Support and Establishment of Paternity), of Subchapter IV of
15 Chapter 7 of Title 42 of the United States Code.

16 (2) Implementation of Section 12419.10 of the Government
17 Code.

18 (3) Responding to information requests from the Franchise Tax
19 Board for the purpose of tax administration.

20 *SEC. 3. Section 1672.6 is added to the Vehicle Code, to read:*

21 *1672.6. (a) Before being issued an original class C or M*
22 *driver's license under Article 3 (commencing with Section 12800)*
23 *of Chapter 1 of Division 6, each applicant for that driver's license*
24 *shall sign a two part statement, that shall be developed by the*
25 *department.*

26 *(b) (1) The first part of the statement shall consist of a*
27 *disclosure informing the applicant of the following:*

28 *“(A) It is unlawful to register to vote if you are not a citizen of*
29 *the United States. The issuance of a driver's license or*
30 *identification card does not establish that right.*

31 *“(B) It may be unlawful to possess or to attempt to purchase a*
32 *firearm if you are not a citizen of the United States. The issuance*
33 *of a driver's license or identification card does not establish that*
34 *right.*

35 *“(C) It is unlawful to serve on a jury unless you are a citizen of*
36 *the United States. The issuance of a driver's license or*
37 *identification card does not establish that right.*

38 *“(D) The issuance of a driver's license is a license to drive a*
39 *motor vehicle. It does not establish eligibility for employment,*
40 *voter registration, or public benefits.”*

(2) Following each statement described in paragraph (1), there shall be a space for the applicant's initials to acknowledge that the applicant understands the limitations and entitlements associated with issuance of a driver's license.

(c) The second part of the statement shall state that the applicant affirm that if he or she is not a citizen or legal resident of the United States that the applicant has applied for legal residency or will apply for legal residency under the United States immigration laws.

(d) The two part statement shall be signed by the applicant under penalty of perjury declaring that the applicant read the disclosure and attests to the truth of the affirmation.

SEC. 4. Section 1808.10 is added to the Vehicle Code, to read:

1808.10. (a) (1) The department shall consult with the Department of Justice to determine what information the department should collect, relevant to the eligibility of a person to possess a firearm, dangerous weapon, or explosive, from a person applying for or renewing a driver's license, and should provide to the Department of Justice so that the Department of Justice may better determine the eligibility of a person to possess a firearm, dangerous weapon, or explosive.

(2) The department shall collect and provide that information to the Department of Justice for use in determining the eligibility of a person to possess a firearm, dangerous weapon, or explosive.

(b) The Department of Justice shall not provide information that the department provides pursuant to paragraph (2) of subdivision (a) to the federal government or to any other law enforcement agency, except in connection with prosecuting a person for illegally attempting to purchase or obtain a firearm, dangerous weapon, or explosive.

SEC. 5. Section 12800 of the Vehicle Code is amended to read:

12800. Every application for an original or a renewal of a driver's license shall contain all of the following information:

(a) The applicant's true full name, age, sex, mailing address, residence address, ~~and social security account number~~ social security account number, federal individual taxpayer identification number, or other number or identifier number deemed appropriate by the department under paragraph (2) of subdivision (a) of Section 12801.

1 (b) A brief description of the applicant for the purpose of
2 identification.

3 (c) A legible print of the thumb or finger of the applicant.

4 (d) The type of motor vehicle or combination of vehicles the
5 applicant desires to operate.

6 (e) Whether the applicant has ever previously been licensed as
7 a driver and, if so, when and in what state or country and whether
8 or not the license has been suspended or revoked and, if so, the date
9 of and reason for the suspension or revocation.

10 (f) Whether the applicant has ever previously been refused a
11 driver's license in this state and, if so, the date of and the reason
12 for the refusal.

13 (g) Whether the applicant, within the last three years, has
14 experienced, on one or more occasions, either a lapse of
15 consciousness or an episode of marked confusion caused by a
16 condition that may bring about recurrent lapses, or whether the
17 applicant has a disease, disorder, or disability that affects his or her
18 ability to exercise reasonable and ordinary control in operating a
19 motor vehicle upon a highway.

20 (h) Whether the applicant understands traffic signs and signals.

21 (i) Whether the applicant has ever previously been issued an
22 identification card by the department.

23 (j) *Documentation acceptable to the department showing that*
24 *the applicant is presently residing in this state. The department*
25 *shall develop regulations specifying those documents that are*
26 *acceptable for this purpose. The regulations adopted to effect the*
27 *purposes of this subdivision are emergency regulations in*
28 *accordance with Chapter 3.5 (commencing with Section 11340) of*
29 *Part 1 of Division 3 of Title 2 of the Government Code.*

30 (k) Any other information that is necessary to enable the
31 department to determine whether the applicant is entitled to a
32 license under this code.

33 SEC. 6. Section 12801 of the Vehicle Code is amended to read:

34 12801. (a) ~~Notwithstanding any other provision of law, the~~
35 (1) The department shall require an application for the issuance
36 or renewal of a driver's license by the department to contain one
37 of the following:

38 (A) The applicant's social security account number ~~and any~~
39 ~~other~~.

1 (B) Subject to paragraph (2), a federal individual taxpayer
2 identification number.

3 (C) Subject to paragraph (2), a number or identifier that is
4 determined to be appropriate by the department.

5 (2) If an applicant signs an affidavit under penalty of perjury
6 attesting that he or she is presently not eligible for a social security
7 account number and submits a federal individual taxpayer
8 identification number, or other number or identifier that is deemed
9 appropriate by the department, the submission of those documents
10 shall be acceptable to the department in lieu of a social security
11 account number until the applicant obtains a social security
12 account number. Upon obtaining a social security account
13 number, the applicant shall provide the department that number
14 under paragraph (1).

15 (3) The department shall not complete an application for the
16 issuance or renewal by the department of a driver's license that
17 does not include one of the following:

18 (A) The applicant's social security account number.

19 (B) Subject to paragraph (2), a federal individual taxpayer
20 identification number.

21 (C) Subject to paragraph (2), a number or identifier that is
22 determined to be appropriate by the department.

23 (b) Notwithstanding any other law, the social security account
24 number or federal individual taxpayer identification number
25 collected on a driver's license application shall not be displayed on
26 the driver's license, including, but not limited to, inclusion on a
27 magnetic tape or strip used to store data on the license.

28 SEC. 7. Section 12801.2 is added to the Vehicle Code, to read:

29 12801.2. (a) The department shall require an applicant for
30 an original driver's license to present an identification document
31 acceptable to the department, for the purpose of establishing
32 identity prior to completing an application.

33 (b) An applicant for an original driver's license who, pursuant
34 to Section 12801, furnishes the department with his or her federal
35 individual taxpayer identification number or other number or
36 identifier deemed appropriate by the department under paragraph
37 (2) of subdivision (a) of Section 12801, shall present to the
38 department a recently validated passport or an identification card
39 issued by the consulate of the applicant's country of origin to
40 nationals residing in this state.

1 (c) *The department shall accept an identification card*
2 *presented under subdivision (b) provided all of the following*
3 *conditions are met:*

4 (1) *The applicant's country of origin is a current participant to*
5 *the Vienna Convention on Consular Relations, as adopted by the*
6 *United Nations Conference on Consular Relations on April 22,*
7 *1963.*

8 (2) *The applicant's country of origin is not a country*
9 *designated by the United States Secretary of State as a state*
10 *sponsor of terrorism.*

11 (3) *The identification card described in this subdivision is, in*
12 *the opinion of the department, produced in a color or engraved by*
13 *a process or processes that prohibit, as near as possible, the ability*
14 *to alter or reproduce the identification card, or prohibit the ability*
15 *to superimpose a picture or photograph on the identification card*
16 *without ready detection to the same extent as driver's licenses*
17 *under Section 12811 and identification cards under Section 13005*
18 *are produced or engraved.*

19 (4) *The identification card described in this subdivision is*
20 *issued by a consulate of the applicant's country of origin and that*
21 *consular requires the applicant to provide all of the following as*
22 *a condition to its issuance:*

23 (A) *An original birth certificate from the applicant's country of*
24 *birth.*

25 (B) *An official identification document from the country of*
26 *origin other than a birth certificate.*

27 (C) *Proof of address within this state.*

28 (D) *Personal information that may be required by the consular.*

29 (d) *An applicant described in subdivision (b), in addition to the*
30 *other applicable requirements of this section, shall submit to the*
31 *department a completed form developed by the department signed*
32 *by a person with a currently valid driver's license who is a citizen*
33 *of the United States and who sponsors the applicant for purposes*
34 *of obtaining a driver's license. The form shall include the driver's*
35 *license number of the person signing the sponsor's statement and*
36 *a statement attesting to the applicant's need to obtain a driver's*
37 *license. A sponsor may include any person over the age of 18 years,*
38 *who is familiar with the applicant including, but not limited to, an*
39 *applicant's family member, a member of the clergy, or the*
40 *applicant's employer.*

1 SEC. 8. Section 12801.25 is added to the Vehicle Code, to
2 read:

3 12801.25. (a) Within 10 days of receipt of a written notice of
4 the department's decision to deny an application on the basis of the
5 applicant's failure to satisfy the requirements of Section 12801.2,
6 the applicant may request an administrative hearing to appeal that
7 denial. The notice of denial shall notify the applicant of his or her
8 hearing right, of the applicant's right to review prior to the hearing
9 the department's records that were the basis for the denial, and of
10 the applicant's rights of subpoena pursuant to Section 14104.5 of
11 the Vehicle Code. Upon receipt of a demand for hearing, the
12 department shall schedule a hearing within 15 days unless the
13 party requests a later hearing date.

14 (b) The hearing shall be conducted pursuant to Sections
15 14104.2 and 14105 of the Vehicle Code.

16 (c) The applicant subject to a hearing may request a review of
17 the decision issued pursuant to subdivision (b) within 15 days of
18 the effective date of the decision. The review shall include an
19 examination of the hearing report, documentary evidence,
20 findings, and any new evidence offered by the applicant that was
21 not known to the applicant at the time of the initial hearing. The
22 hearing officer or board conducting the original hearing may not
23 participate in the review process. Following the review, a written
24 notice of the department's decision shall be mailed to the applicant
25 involved.

26 (d) At any time after issuance, the department, at its own option
27 or upon request of the person who was the subject of the hearing,
28 may reopen the matter, take further evidence, or change or set
29 aside any order previously made.

30 (e) Upon issuance of a final administrative decision, an
31 applicant may petition for a writ of mandate from a superior court.
32 The court shall deny the petition if it finds that the administrative
33 decision was supported by substantial evidence.

34 SEC. 9. Section 12801.5 of the Vehicle Code is amended to
35 read:

36 12801.5. (a) ~~Notwithstanding any other provision of law, the~~
37 ~~department shall require an applicant for an original driver's~~
38 ~~license or identification card to submit satisfactory proof that the~~
39 ~~applicant's presence in the United States is authorized under~~
40 ~~federal law.~~

~~(b) The department shall not issue an original driver's license or identification card to a person who does not submit satisfactory proof that the applicant's presence in the United States is authorized under federal law.~~

~~(c) The department shall adopt regulations to carry out the purposes of this section, including procedures for, but not limited to, (1) verifying that the applicant's presence in the United States is authorized under federal law, (2) issuance of a temporary license pending verification of the applicant's status, and (3) appeal hearings from a denial of a license, temporary license, or identification card.~~

~~(d) On January 10 of each year, the department shall submit a supplemental budget report to the Governor and the Legislature detailing the costs of verifying the citizenship or legal residency of applicants for driver's licenses and identification cards, in order for the state to request reimbursement from the federal government.~~

~~(e) Notwithstanding Section 40300 or any other provision of law, a peace officer may not detain or arrest a person solely on the belief that the person is an unlicensed driver, unless the officer has reasonable cause to believe the person driving is under the age of 16 years.~~

~~(f)~~

~~(b) The inability to obtain a driver's license pursuant to this section does not abrogate or diminish in any respect the legal requirement of every driver in this state to obey the motor vehicle laws of this state, including laws with respect to licensing, motor vehicle registration, and financial responsibility.~~

SEC. 10. Section 12801.9 is added to the Vehicle Code, to read:

12801.9. Notwithstanding any other provision of law, a commercial driver's license applicant shall include the applicant's social security account number in the application.

SEC. 11. Section 12801.10 is added to the Vehicle Code, to read:

12801.10. (a) An applicant who is described in subdivision (b) of Section 12801.2 shall submit a full set of fingerprints to the Department of Justice utilizing a certified livescan operator for purposes of a background check using the California Automated Fingerprint Identification System, and a background check with

1 *the federal Automated Criminal History System. The applicant*
 2 *shall pay all necessary fees for purposes of complying with this*
 3 *subdivision.*

4 *(b) The department shall not issue a driver's license to a person*
 5 *on whom it receives a report under subdivision (a) indicating that*
 6 *the person has a conviction of a public offense, other than driving*
 7 *without a driver's license.*

8 *(c) The department shall charge a person who submits, in*
 9 *support of an application for a driver's license, a federal*
 10 *individual taxpayer identification number or other number or*
 11 *identifier deemed appropriate by the department, in lieu of a social*
 12 *security account number, a fee sufficient to cover the costs incurred*
 13 *by the department, but not more than sixty dollars (\$60).*

14 *(d) The department shall charge a person described in*
 15 *subdivision (c) an additional five dollar (\$5) fee. Revenues*
 16 *collected under this subdivision shall be deposited in the Citizen*
 17 *Naturalization Preparation Fund, which is hereby created in the*
 18 *General Fund. Moneys deposited in the Citizen Naturalization*
 19 *Fund, upon appropriation by the Legislature, shall be allocated to*
 20 *the Department of Community Services and Development to*
 21 *support programs and grants to fund naturalization programs.*

22 *SEC. 12. Section 14610.7 of the Vehicle Code is repealed.*

23 ~~14610.7. It is a misdemeanor for any person to knowingly~~
 24 ~~assist in obtaining a driver's license or identification card for any~~
 25 ~~person whose presence in the United States is not authorized under~~
 26 ~~federal law.~~

27 *SEC. 13. No reimbursement is required by this act pursuant*
 28 *to Section 6 of Article XIII B of the California Constitution*
 29 *because the only costs that may be incurred by a local agency or*
 30 *school district will be incurred because this act creates a new crime*
 31 *or infraction, eliminates a crime or infraction, or changes the*
 32 *penalty for a crime or infraction, within the meaning of Section*
 33 *17556 of the Government Code, or changes the definition of a*
 34 *crime within the meaning of Section 6 of Article XIII B of the*
 35 *California Constitution.*

36 *SEC. 14. The provisions of this act are severable. If any*
 37 *provision of this act or its application is held invalid, that*
 38 *invalidity shall not affect other provisions or applications that can*
 39 *be given effect without the invalid provision or application.*

1 *SEC. 15.* This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or safety
3 within the meaning of Article IV of the Constitution and shall go
4 into immediate effect. The facts constituting the necessity are:

5 In order to reduce the number of unlicensed drivers on our
6 highways, who account for 20 percent of all accidents and,
7 thereby, compromise public safety, it is necessary that this act take
8 effect immediately.

